

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOWEY DANNENBERG COHEN, P.C., its
capacity as account holder of, and party with interest
in, the REZULIN SETTLEMENT FUND
Plaintiff

vs.

JAMES R. DUGAN, II, STEPHEN B. MURRAY
d/b/a THE MURRAY LAW FIRM, RAWLINGS
AND ASSOCIATES, PLLC, GREG MURPHY,
MORAIN & MURPHY, LLC, WALLACE
JORDAN RATLIFF & BRANDT, LLC ELWOOD
S. SIMON & ASSOCIATES, P.C., KERSHAW,
CUTTER & RATINOFF, LLP, BERMAN
DEVALERIO PEASE TABACCO BURT &
PUCILLO, MARK FISCHER, and GEORGE
RAWLINGS

Defendants

Case No. 08 Civ. 0461

HONORABLE KENNETH M.
KARAS

ECF CASE

**DEFENDANTS', JAMES R. DUGAN, II AND STEPHEN B. MURRAY d/b/a THE
MURRAY LAW FIRM, RESPONSE TO PLAINTIFF'S ORDER TO SHOW CAUSE
FOR A TEMPORARY RESTRAINING ORDER AND PRELIMINARY AND
PERMANENT INJUNCTIVE RELIEF**

NOW COME defendants, JAMES R. DUGAN, II and STEPHEN B. MURRAY D/B/A
THE MURRAY LAW FIRM ("Dugan and Murray"), and respectfully submit this Response To
Plaintiff's Order To Show Cause For A Temporary Restraining Order And Preliminary And
Permanent Injunctive Relief.

For the reasons and arguments set forth in Defendants', James R. Dugan, II and Stephen
B. Murray d/b/a The Murray Law Firm, Memorandum of Law in Support of Motion to Dismiss
Complaint and Bill in the Nature of Interpleader, incorporated herein in their entirety by
reference, Plaintiff's Temporary Restraining Order ("TRO") should be lifted, and Plaintiff
should be denied preliminary and permanent injunctive relief.

Dated: New Orleans, Louisiana
January 23, 2008

/s/ Dane S. Ciolino
Dane S. Ciolino (DC-1964)
DANE S. CIOLINO, LLC
526 Pine Street, Fourth Floor
P.O. Box 850848
New Orleans, LA 70185-0848
Telephone: (504) 834-8519
Facsimile: (504) 324-0143
E-Mail: dciolino@loyno.edu

Counsel of record for Defendants, James R. Dugan,
II and Stephen B. Murray d/b/a The Murray Law
Firm

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2008, I caused to be electronically filed the foregoing Response To Plaintiff's Order To Show Cause For A Temporary Restraining Order And Preliminary And Permanent Injunctive Relief with the Clerk of the Court using the CM/ECF system which will send notification of such filing to registered counsel electronically. Pursuant to that notification, a true and exact copy of the foregoing was sent via email, fax, and/or U.S. mail to any party or counsel not receiving electronic service from CM/ECF by ordinary U.S. Mail, this 23rd day of January, 2008.

/s/ Dane S. Ciolino
Dane S. Ciolino (DC-1964)